

REMARKS/ARGUMENTS

Claims 44, 57, 61, 63, 75, 76, 80, 81, 90, 91, 93-96 and 98-112 are pending. By this Amendment, claims 45-56, 58-60, 62, 64-74, 77-79 and 82 are canceled. Further, claims 99 and 103 are amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

In paragraph 2 of the Office Action, claim 99 was objected to under 37 C.F.R. §1.75(c) as being in improper dependent form. Although Applicant respectfully traverses this objection, claim 99 has been rewritten into independent claim format including all of the features of claim 44, from which it previously depended. Withdrawal of the objection is respectfully requested.

Claims 56 and 103 were objected to based on informalities. By this Amendment, claim 56 has been canceled, and claim 103 has been amended in a form consistent with the Examiner's helpful suggestion. Withdrawal of the objection is respectfully requested.

Claims 44, 56, 63, 74, 75, 90, 91, 93-96, 98, 99, 103-105, 107, 109 and 111 were rejected under 35 U.S.C. §102(e) over Stasiuk (U.S. Patent No. 6,105,806). This rejection is respectfully traversed.

As established by the attached Rule 131 Declaration executed by Mr. Manfred Jendick, the sole inventor of this application, the subject matter of the now pending claims was conceived and reduced to practice prior to Stasiuk's April 17, 1998 U.S. filing date. Accordingly, Stasiuk is unavailable as prior art, and therefore withdrawal of the rejection is respectfully requested.


Additional rejections appear in paragraphs 8-11 of the Office Action. However, each of these rejections is based on Stasiuk's '806 patent, which for the reasons discussed above is not available as prior art against the now pending claims of this application. Withdrawal of the rejections set forth in paragraphs 8-11 is respectfully requested.

In view of the above amendments and remarks, Applicant respectfully submits that all of the claims are patentable and that the entire application is in condition for allowance. Should Examiner Huynh believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


Paul T. Bowen
Reg. No. 38,009

PTB:jls:jck
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100